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Total # of Pages 5 (including this page)

TO:	PHONE #:	FAX #:
Director of the USPTO Art Unit: 1654 Examiner: Thomas Sweeney Heard		(571) 273-8300

From : Stephen E. Reiter
Email Address : sreiter@foley.com
Sender's Direct Dial : 858.847.6711
Date : June 11, 2010
Client/Matter No : 063391-1106
User ID No : 1877

MESSAGE:

Re: U.S. Patent Application No. 10/530,646
Filing Date: 1/11/2006
Confirmation No. 7617

Attachment: Notification of Loss of Entitlement to Small Entity Status and
Payment of Deficiency Owed.

If there are any problems with this transmission or if you have not
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Operator:	Time Sent:	Return Original To: Mercedes F. "Ched" Dipasupil
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Cover Page 1 of 1

DLMR_761755.1

PAGE 1/5 * RCVD AT 6/11/2010 8:13:27 PM [Eastern Daylight Time] * SVR:USPTO-EFXXRF-5/1 * DNIS:2738300 * CSID: * DURATION (mm-ss):01-56

JUN 11 2010

Atty. Dkt. No. 063391-1106

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David Winn et al.
Title: ACTIVITY-BASED PROBES
AND METHODS OF THEIR
PREPARATION AND USE

Serial No.: 10/530,646

Filing Date: 01/11/2006

Examiner: Heard, Thomas Sweeney

Art Unit: 1654

Confirmation 7617
Number:

CERTIFICATE OF FACSIMILE TRANSMISSION I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below. <u>Stephen E. Reiter</u> (Printed Name) <u>SEP E. L.</u> (Signature) <u>June 11, 2010</u> (Date of Deposit)

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**NOTIFICATION OF LOSS OF ENTITLEMENT TO
SMALL ENTITY STATUS AND PAYMENT OF DEFICIENCY OWED**

Director of the USPTO
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §1.27(g)(2), Applicant hereby states that small entity status in the above-identified patent is no longer appropriate. Fees paid presently and henceforth will be paid based on large entity status.

- Separate Submission required for each patent: Applicant is submitting a deficiency owed for the above-captioned application.

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DLMR_761561.1

Atty. Dkt. No. 063391-1106

- Calculation and Payment of deficiency owed:

1. Applicant paid fees for filing the U.S. Patent Application on April 6, 2005 in the small entity amount of \$365.00 (for the Basic Filing Fee, Examination Fee, Search Fee and Fee for Late Filing of Declaration). Therefore, the amount owed is \$415.00.

2. Applicant paid an Extension of Time fee on November 3, 2008 in the small entity amount of \$65.00. Therefore, the amount owed is \$65.00.

3. Applicant paid an Extension of Time fee on April 7, 2009 in the small entity amount of \$65.00. Therefore, the amount owed is \$65.00.

4. Applicant paid for one extra independent claim on September 8, 2009 in the small entity amount of \$110.00. Therefore, the amount owed is \$110.00.

5. Applicant paid fees for the filing of a Request for Continued Examination (RCE) on September 8, 2009 in the small entity amount of \$405.00. Therefore, the amount owed is \$405.00.

An itemization of the deficiency payments, as required by 37 C.F.R. §1.28(c)(2)(ii) is shown below:

<u>(A) Type of fee paid erroneously as small entity</u>	<u>(B1) Small Entity amount paid</u>	<u>(B2) Date of payment</u>	<u>(C) Deficiency amount owed</u>
Basic Filing Fee	\$150.00	04/06/2005	\$180.00
Exam Filing Fee	\$100.00	04/06/2005	\$120.00
Search Fee	\$50.00	04/06/2005	\$50.00
Late Filing of Declaration	\$65.00	04/06/2005	\$65.00

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Extension of Time	\$65.00	11/03/2008	\$65.00
Extension of Time	\$65.00	04/07/2009	\$65.00
One Independent Claim	\$110.00	09/08/2009	\$110.00
Request for Continued Examination (RCE)	\$405.00	09/08/2009	\$405.00

(D) The total deficiency payment owed:

\$1060.00

Enclosed is a credit card payment form in the amount of \$1060.00, for payment of the total deficiency owed amount. Fees paid presently and henceforth will be paid based on large entity status.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

If there are any questions related to this communication, please contact the undersigned at the number set forth below.

Respectfully submitted,

Date

6/11/10

By

Stephen E. Reiter

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Stephen E. Reiter
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